

### REMARKS

Claims 1-33, 35-38, and 40-59 are pending, with claims 1, 24, and 35 being independent. Of the pending claims, claims 1, 2, 8-12, 14-16, 22-24, and 35 are amended. Claim 34 and 39 are canceled. Claim 56-59 are newly added. No new matter has been added.

Claims 1, 8-13, 15, 22-28, 35-38 and 40-55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Waesterlid (U.S. 6,993,325).

Claims 1, 24, and 35 are also rejected under 35 U.S.C. § 102(b) as being anticipated by Engel et al. (U.S. 6,028,866).

Claims 2-7 and 14 which depend from independent claim 1, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Waesterlid.

Claims 16-21, 29-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Waesterlid in view of Sonnenreich (U.S. 5,974,446).

Further, Claim 2 is objected because of informalities. Claim 22 is rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 39 is rejected under 35 U.S.C. § 101.

This response first addresses the rejection with respect to claims 2, 22 and 39. Second, this response addresses claims 1, 8-13, 15, 22-28, 35-38, and 40-59. Third, this response addresses claims 2-7 and 14. Fourth, this response addresses claims 16-21, and 29-33. Finally, this response addresses new claims 56-59.

#### Claims 2, 22 and 39:

Claim 2 is amended as suggested by the Examiner to correct informalities noted in paragraph 4 of the Office Action.

Claim 22 is rejected under 35 U.S.C. 112(2) as being indefinite. Claim 22 is amended to further clarify the meaning of the claim language. More specifically, claim 22, as amended, recites "offering new services to the current members of the group including the new member". This claim limitation expands the scope of the current group, and offers services to both the existing members and to the new member. Claim 22, as amended, is believed to fully address the rejection.

In the Office Action, claim 39 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. As indicated above, claim 39 has been cancelled herein, without prejudice or disclaimer of subject matter, and without conceding the correctness of the rejection.

Claims 1, 8-13, 15, 22-28, 35-38, and 40-55:

Claims 1, 8-13, 15, 22-28, 35-38, and 40-55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Waesterlid (U.S. 6,993,325). Applicant respectfully traverse this rejection.

Claim 1 recites, with emphasis added, a computer implemented method of sharing static data resources associated with a group among members of the group that includes storing member-only static data resources associated with a group in a host system, storing information associated with more than one current member of the group in a database and receiving instructions from at least one current member to invite at least one prospective member to join the group. An invitation is sent to the prospective member to join the group and a response is received from the prospective member. Based upon receipt of an affirmative response, the prospective member is added to the group as a new member. Group membership is automatically updated to account for the new member and information associated with the new member is stored in the database. Member-only static group data resources are shared with the current members of the group and the new member based upon the updated group membership. Additionally, the stored information associated with the current members of the group and the new member is shared based upon the updated group membership.

Notably, while not limiting, examples of “static data resources associated with a group” can be found throughout the specification, which references a private group web site, a shared map, a shared calendar, or a shared any other type of data files, see, e.g. page 22, line 4 – page 23, line 26.

Applicants respectfully request reconsideration and withdrawal of the 102(e) rejection over Waesterlid because Waesterlid fails to describe or suggest at least the feature of sharing static data resources associated with the group among the current members of the group and the new member, as recited in amended claim 1.

By contrast, Waesterlid only describes "... a status reporting method that allows members of an affinity group to send status information to and receive status information from other members of the affinity group", *see, Waesterlid Col 1, lines 63 – 66*. The status information of Waesterlid is not a static data resource, as recited in claim 1. On the contrary, Waesterlid's status information is dynamic data that changes and updates constantly. In fact, the goal of Waesterlid's status reporting method is to "obtain up-to date information concerning the status of other members of the affinity group", *see, Waesterlid, Abstract*. Additionally, Waesterlid's status data is not associated with a group, as recited in claim 1. Rather, the status data is associated with each individual member of the group.

Accordingly, Waesterlid does not disclose or properly suggest at least the "sharing static data resources associated with the group" feature as recited in independent claim 1. Therefore, claim 1 is believed to be allowable over Waesterlid.

The Office Action does not allege that Waesterlid discloses the foregoing feature. Should this rejection be maintained, Applicant request an explanation of how Waesterlid meets the specifics of this feature.

Further, Applicants respectfully request reconsideration and withdrawal of the 102(b) rejection over Engel, *see paragraph 35 of the Office Action*, because Engel also fails to describe or suggest at least the feature of "sharing static data resources associated with the group among the current members of the group and the new member", as recited in amended claim 1.

Rather, Engel describes a system that allows a group of end apparatuses to communicate wirelessly. Although Engel describes forming a group using the invitation/acceptance method, Engel does not disclose or properly suggest "sharing static data resources associated with the group". The Office Action is not seen to allege that Engel describes such feature. Therefore, claim 1 is believed to be allowable over Engel.

Accordingly, based on the above amendments and remarks, independent claim 1 is in condition for allowance, and such action is respectfully requested.

With respect to independent claim 35, Applicant respectfully submits that neither Waesterlid nor Engel discloses or properly suggests all of the features of independent claim 35,

as amended. Applicants respectfully request reconsideration and withdrawal of the 102(e) rejection over Waesterlid. Applicants also respectfully request reconsideration and withdrawal of the 102(b) rejection over Engel.

Like claim 1, independent claim 35 recites “A computer program, stored on a computer readable medium, comprising instructions for: storing member-only static data resources associated with a group; storing information about more than one current member of a group in a database; receiving instructions from at least one current member to invite at least one prospective member to join the group; sending an invitation to the prospective member to join the group; receiving a response from the prospective member; adding the prospective member to the group as a new member based upon receipt of an affirmative response; and automatically updating services to group membership current members to account for the new member; storing information associated with the new member in the database; sharing the static data resources associated with the group among the current members of the group and the new member based upon the updated group membership; and sharing the stored information associated with the current members of the group and the new member based upon the updated group membership.”

In accordance with the above, Applicant submits that neither Waesterlid nor Engel discloses or properly suggests at least the feature of “sharing the static data resources associated with the group” in independent claim 35, so that claim 35 is allowable for at least this reason.

With respect to independent claim 24, Applicant respectfully submits that neither Waesterlid nor Engel discloses or properly suggests all of the features of independent claim 24, as amended. Applicants respectfully request reconsideration and withdrawal of the 102(e) rejection over Waesterlid. Applicants also respectfully request reconsideration and withdrawal of the 102(b) rejection over Engel.

For example, independent claim 24, as amended, recites (with emphasis added): a communication system for sharing information among members of a group that includes a group administrator for processing information about the current members of the group, a group communicator cooperating with the group administrator for delivering and exchanging

information with current and prospective group members including enabling current group members to access member-only static group data resources; and a group information updater cooperating with the group communicator and group administrator for providing updated information associated with group members to current members including a new member, wherein in response to an affirmative response to an invitation to a prospective member to join the group, the group information updater is instructed by the group communicator to add the prospective member to the group.

Waesterlid does not disclose or properly suggest the feature of a group communicator cooperating with the group administrator for delivering and exchanging information with current and prospective group members including enabling current group members to access member-only static group data resources. In fact, the status reporting system of Waesterlid does not have “member-only static group data resources”, as discussed above with respect to claim 1. Consequently, Waesterlid has no need to access such “member-only static group data resources”. Therefore, Waesterlid does not disclose a group communicator that performs the task of “enabling current group members to access member-only static group data resources”, as recited in amended claim 24. The Office Action is not seen to allege that Waesterlid disclosed this feature.

Further, Engel does not disclose or properly suggest a group communicator that performs the task of “enabling current group members to access member-only static group data resources”, as recited in amended claim 24. The Office Action is not seen to allege that Engel disclosed this feature.

Accordingly, independent claim 24 is believed to be in condition for allowance, along with its dependant claims 25-33.

Therefore, Applicant submits that independent claims 1, 24 and 35, along with their dependent claims 8-13, 15, 22, 23, 25-28, 36-55 are allowable for at least the above reasons.

Claim 2-7 and 14:

Claim 2-7 and 14 are dependant claims of independent claim 1 and are rejected under 35 U.S.C. § 103(a) as being unpatentable over Waesterlid. Based on the reasons above with respect to claim 1, Applicant respectfully asserts that Waesterlid does not describe or suggest the subject matter of independent claim 1. For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections of claim 2-7 and 14.

Claim 16-21, 29-33:

Regarding the rejection of claims 16-21, 29-33 under 103(a) as being unpatentable over Waesterlid in view of Sonnenreich. Applicant respectfully submits that this rejection fails to establish a prima facie case of obviousness. In particular, the rejection lacks motivation to combine.

The Office Action fails to consider portions of Waesterlid that 'teach away' from the proposed combination, hence does not provide a reasonable expectation of success. More specifically, Waesterlid's system is a "connectionless status reporting method that allows members of an affinity group to send status information to and receive status information from other members of the affinity group", *See, Waesterlid, Summary of the invention*. Waesterlid's system is motivated by "a need for a communication method that allows members of an affinity group to receive up to date status information about other group members without having to log into a server".

In contrast, Sonnenreich's on-line class room application relies on the user's connection to the server, see, e.g., "for such purposes as .... enabling real-time intercommunication amongst such users and with the server," and "being more particularly directed to the enabling of information and dialog of chatter networking amongst such users as for the purpose of providing user selected information on various topics from a central file server to the user stations and for enabling the users to network with other users also interested in the same topic(s) and with the server", *see, Sonnenreich, Abstract and Col. 1, lines 15 -23*.

Claims 56-59

Claims 56-58 are newly added, which further clarifies the feature of "sharing the member-only static data resources associated with the group" of claim 1. More specifically, sharing the member-only static data resources includes sharing a member-only private group website, a map, and buddy list information, as recited in claims 56-58 respectively. Support for the new claims can be found throughout the specification, *see, e.g., Application, page 22, lines 3-11*.

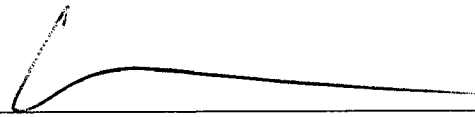
Claim 59 depends on claim 1 and recites that the computer implemented method of claim 1 wherein member-only static data resources are selected by a person or a system that is outside of the group. Support for this feature can be found in the specification, *see, e.g., Application, page 24, lines 5-9*.

In view of the foregoing amendments and remarks, it is believed that the entire application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The fee in the amount of \$220 in payment of the one-month extension of time fee (\$120) and the excess claim fees (\$100) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 7/28/2006

  
W. Karl Renner  
Reg. No. 41,265

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331  
40336859.doc